

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

FILED
BILLINGS DIV.

2009 JUN 22 PM 3 21

PATRICK E. DUFFY, CLERK

BY _____
DEPUTY CLERK

JONATHAN LEE RICHES,)	CV-09-62-BLG-RFC
)	
Petitioner,)	
)	
vs.)	
)	ORDER ADOPTING FINDINGS
)	AND RECOMMENDATIONS OF
CASEY ANTHONY; BERNARD)	
MADOFF; CAYLEE ANTHONY,)	U.S. MAGISTRATE JUDGE
)	
Respondents.)	
_____)	

On May 28, 2009, United States Magistrate Judge Carolyn Ostby entered Findings and Recommendation. Magistrate Judge Ostby recommends this Court dismiss the Petition filed in this case.

Upon service of a magistrate judge's findings and recommendation, a party has 10 days to file written objections. 28 U.S.C. § 636(b)(1).¹ In this matter, no party filed objections to the May 28, 2009 Findings and Recommendation. Failure to object to a magistrate judge's findings and recommendation waives all objections to the findings of fact. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir.

¹In prisoner cases, this Court extends the time to object to twenty days in order to take into account the Supreme Court's ruling in *Houston v. Lack*, 487 U.S. 266, 270-71 (1988), and the somewhat greater mailing time that is involved in sending documents into and out of a prison facility.

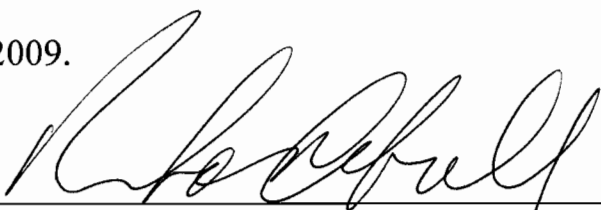
1999). However, failure to object does not relieve this Court of its burden to review de novo the magistrate judge's conclusions of law. *Barilla v. Ervin*, 886 F.2d 1514, 1518 (9th Cir. 1989).

After an extensive review of the record and applicable law, this Court finds Magistrate Judge Ostby's Findings and Recommendation are well grounded in law and fact and adopts them in their entirety. This Court plainly lacks jurisdiction, and because jurisdiction is plainly lacking, any appeal would be taken in bad faith.

Accordingly, **IT IS HEREBY ORDERED** the Petition (*Doc. 1*) is **DISMISSED**. Also, pursuant to Fed.R.App.P. 24(a)(4)(B), it is **CERTIFIED** that any appeal taken by Petitioner from this disposition would not be taken in good faith.

The Clerk of Court shall enter a judgment of dismissal and notify the parties of the making of this Order.

DATED the 22nd day of June, 2009.



RICHARD F. CEBULL
UNITED STATES DISTRICT JUDGE